

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY)	
AVERAGE WHOLESALE PRICE)	MDL No. 1456
LITIGATION)	
)	Civil Action No. 01-12257-PBS
THIS DOCUMENT RELATES TO:)	Judge Patti B. Saris
CLASS 2)	
)	
)	

**WARRICK PHARMACEUTICALS CORPORATION'S NOTICE OF
FORTHCOMING RESPONSE TO PLAINTIFFS' DAMAGE SUBMISSION**

Warrick Pharmaceuticals Corporation hereby notifies the Court that it intends to file, as soon as possible and within twenty-four hours if possible, a response to Plaintiffs' submissions with respect to Warrick's Class 2 damages. Warrick has already filed a submission in support of its own analysis that there were no damages caused by Warrick under the Court's opinion.

Despite repeated attempts by counsel for Warrick to engage Plaintiffs in a discussion regarding the parties' positions as to their differing damage calculations and methodologies, Plaintiffs declined to do so. Thus, while Plaintiffs did provide to Warrick their damage calculation and some back-up material showing the methodology utilized to arrive at that damage figure, Warrick does not know the underlying rationale for the methodology used by Plaintiffs. In other words, because Plaintiffs would not confer and explain their reasons for calculating damages as they did, Warrick cannot adequately respond to Plaintiffs' damage calculation until they at least have a chance to review Plaintiffs' submission on the issue. Warrick, therefore, intends to file a response to Plaintiffs' submission on damages as soon as possible and will make every effort to do so within 24 hours.

Respectfully submitted,

/s/ John T. Montgomery

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Dated: August 1, 2007

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2007, I caused a true and correct copy of the foregoing to be served on all counsel of record by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL 1456.

/s/ Daniel J. Bennett
Daniel J. Bennett